



**Town of Arlington**  
**Department of Health and Human Services**  
**Office of the Board of Health**

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**Board of Health Meeting Minutes**  
**Wednesday, December 6, 2017**  
**BOH Conference Room**  
**Arlington Senior Center**  
**5:30pm**

Board Members in Attendance: Dr. Marie Walsh Condon, Mr. Kenneth Kohlberg, Dr. Kevin Fallon

Staff in Attendance: Natasha Waden, Director of Public Health; Kylee Sullivan, Health Compliance Officer; Padraig Martin, Lead Health Compliance Officer; Jessica Kerr, Public Health Nurse

Others in Attendance: Singh Saab, Amahet Grigoryan, Maureen Lee (Food Service Solutions)

Recording Secretary: Laura Munsey, Health & Human Services Administrative Assistant

**Meeting called to order by Dr. Marie Walsh Condon at 5:30 pm.**

A motion was made by Mr. Kenneth Kohlberg, which was seconded by Dr. Kevin Fallon to accept the November 1, 2017 meeting minutes as submitted.

Vote: 3 – 0 (Unanimously) in favor of the motion

**Hearing: Amendments to Regulations Restricting the Sale of Tobacco and Nicotine Delivery Products**

Inspector Kylee Sullivan reported the Health Department, with Guidance from the Massachusetts Municipal Association (MMA), makes the following recommendation not to reduce through attrition the number of Tobacco and Nicotine Delivery Products Sales Permits which is currently set at 19 permits. It was recommended to close off the wait list referenced in Section (E)13 of the Regulations effective January 1, 2018, and no longer maintain a wait list as of January 1, 2020.

Following are the recommended and amended changes to the Regulations Restricting the Sale of Tobacco and Nicotine Delivery Products - Section (E) 13:

**13. [add to end of last paragraph] New potential applicants for permits who are applying at a time when the total number of outstanding permits meets or exceeds the maximum number of permits allowed will be placed on a waiting list and will be eligible to apply for a permit on a “first-come, first-serve” basis as permits are either not renewed or are returned to the Arlington Board of Health.**

[add]

**14. Expiration of Waiting List: Any potential applicant that is currently on the waiting list as of January 1, 2018 may apply for a permit if and when an existing permit is returned to the Arlington Board of Health. However, this opportunity will expire on January 1, 2020, at which point the Arlington Board of Health will no longer maintain a waiting list. As of January 1, 2018, the Arlington Board of Health will no longer add potential applicants to the existing waiting list.**

A **Motion** made by Dr. Kevin Fallon, which was seconded by Mr. Kenneth Kohlberg, to accept the recommendations as amended.

**Vote:** Motion Approved 3-0 in favor of the motion (Unanimously)

#### **Hearing: Adoption of 2013 Food and Drug Administration (FDA) Food Code**

Inspector Pat Martin informed the Board that two (2) informational meetings regarding the adoption of the 2013 FDA Food Code were held by the Health Department. Inspector Martin reported that representatives from a total of 37 permitted food establishments attended the meetings. Maureen Lee, of Food Service Solutions, presented a Power Point Presentation at these informational meetings and was available to answer questions regarding the 2013 Food Code. A few permitted food establishments have contacted the Health Department looking for additional information regarding the changes.

Inspector Martin invited Ms. Maureen Lee up to address the Board. Ms. Lee informed the Board that changes have gone very well. The concerns being expressed by the food establishments are “what do I need to know and when will this begin?”

Ms. Lee reported that there are some fairly significant changes in the 2013 Food Code that will require more active managerial control in establishments in order to achieve compliance with the 2013 Food Code. Director Waden stated the Health Department will roll out a one (1) year educational program to ensure establishments are prepared for the active managerial control emphasized in the 2013 Food Code. Tools will be put in place and all relevant information will be provided to the establishments.

Mr. Kohlberg's inquired as to whether it would be better to adopt the 2017 Food Code instead of the 2013 Food Code. Ms. Lee responded that the recommendation to adopt the 2013 Food Code was reinforced at the Mass

Health Officers Association Conference in November, where Michael Moore, from the Mass Department of Public Health's Food Protection Program, reported the State is leaning towards adopting the 2013 Food Code. The State's adoption of the 2017 Food Code is currently going through the legislative processes. It is believed the 2017 Food Code may present challenges for smaller establishments, such as having a full time equivalent ServSafe manager on site at all times. Ms. Lee stated Arlington and most communities are currently using the 1999 Food Code. Newton, Melrose, Wakefield and Boston have adopted the 2013 Food Code. Ms. Lee stated if during the legislative process it is decided that the State goes back out for public comment, they will look at the 2017 Code. Director Waden also added that minor changes to the 2017 Food Code could later be adopted if desired.

**A Motion** was made by Mr. Kenneth Kohlberg, which was seconded by Dr. Kevin Fallon, to adopt the 2013 Food Code by Reference in January 2019.

**Vote:** Motion Approved 3 - 0 in favor of the motion (Unanimously)

**Update: Not Your Average Joe's – Exhaust Hood**

Inspector Kylee Sullivan updated the Board regarding the exhaust hood at Not Your Average Joe's. Inspector Sullivan provided pictures to the Board and stated that the exterior exhaust has been completely replaced by the requested deadline. Periodic checks will continue.

**Correspondence Received: Compost Pilot Program (Town of Arlington Department of Public Works)**

The Board was provided with copies of a correspondence received from Charlotte Milan, Recycling Coordinator, Department of Public Works dated November 2, 2017 regarding a Food Scrap Drop Off Pilot Program. Director Waden informed the Board that Inspector Sullivan has met with Charlotte Milan of the Arlington Recycling Program, regarding the proposed program. Three locations throughout town have been discussed. Ms. Waden reported the containers are animal proof and the lids close automatically. She further reported a large locked door swings open only for collection. The interior bin is completely encased and may be power washed during each collection. Charlotte Milan anticipates this to be a 2- year pilot program. Other communities participating in a food scrap drop off program include: Cambridge, Natick, Newburyport, and Boston. Inspector Martin is reaching out to these communities to see how the program is working, and if any concerns have been identified. Food scrap containers will be picked up by Garbage to Garden or Black Earth Compost.

Some concerns raised by the Health Department include:

- Reliance on residents to shovel out containers
- One location recommended has had rodent problems in the past, and may need to be reconsidered
- Insect, flies, and odor

Director Waden and Inspector Sullivan stated that DPW has been accepting and adaptable to concerns raised by the Health Department.

### **Environmental Updates:**

Inspector Pat Martin informed the Board the the Environmental Protection Agency (EPA) has approved dry ice for a method of rat control. The Health Department has also been working with Boston University School of Public Health with rolling out a Master Plan regarding rodent activity in town.

A smoking complaint has been received regarding a newly designated smoking area at Millbrook Square Apartments, which is now a smoke-free facility. A designated smoking area has been established on Bacon Street, and a complaint was received from a resident of the new brownstone apartments, near Millbrooks designated smoking area.

### **Restaurant Updates**

Inspector Kylee Sullivan provided the following updates:

Two new establishments have opened:

- The Green Light of Arlington
- Mamadou's Artisan Bakery

A Conditional Approval Letter has been sent to: 478 Mass Ave which will be opening soon.

### **Public Health Nurse Updates**

Jessica Kerr, reported the Health Department is wrapping up the flu clinics, and two additional clinics were added at Menotomy Manor and the Arlington Senior Center. She further stated that flu season is gearing up and she will hold walk-in hours as necessary. An analysis of the season will be conducted and recommendations will be made for next year. Some suggestions include adding clinics at the Arlington Boys and Girls Club, Fidelity House, St. Agnes Elementary School, and Arlington Catholic High School.

### **Public Comment**

None

**Meeting was adjourned at 6:25 pm**